



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Eric Teszler
Assistant Corporation Counsel
Office: (212) 356-1652

February 21, 2024

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe, U.S.D.J.

Dated: February 21, 2024

Re: C.N., et al. v. N.Y.C. Dep't of Educ., 23-cv-64

Dear Judge Gardephe:

I am an Assistant Corporation Counsel in the Office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiffs seek attorneys' fees, costs, and expenses for legal work performed on administrative proceedings, as well as for this action, pursuant to the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*

I write jointly with Plaintiffs' counsel to respectfully **request an adjournment, sine die**, of the Initial Conference, currently scheduled for February 22, 2024 (ECF No. 17). This is the parties' fourth joint request for an adjournment of the Initial Conference; the Court granted the parties' prior requests on October 27, 2023 (ECF No. 11), November 27, 2023 (ECF No. 14), and January 23, 2024 (ECF No. 17). The requested adjournment is intended to allow the parties time to continue their settlement negotiations and hopefully resolve this matter of their own accord. Defendant has been able to resolve the majority of similar IDEA fees actions brought by plaintiffs represented by Mayerson & Associates without the need to burden the Court with conferences or motion practice. The parties are optimistic that this matter will follow the same course.

In light of the foregoing, **the parties respectfully propose filing a joint status letter by March 14, 2024** either informing the Court that this matter has settled, or alternatively requesting a pre-motion conference regarding any anticipated motions for summary judgment.

The parties thank the Court for considering these requests.

Respectfully submitted,

/s/ Eric Teszler

Eric Teszler, Esq.
Assistant Corporation Counsel

cc: Gary S. Mayerson, Esq. (via ECF)